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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,134	11/15/2001	Linden Minnick	042390P12310	6022

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EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,134

Applicant(s)

MINNICK, LINDEN

Examiner

LeChi Truong

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-32 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 12, 23, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al (US. Patent 6,442,621 B1).

3. **As to claim 1**, Kondo teaches the invention substantially as claimed including: a plurality of commands (the command X, command Y, col 6, ln 7-8/ ln 59-60), a controller (a controller 102, col 6, ln 12-13/ col 63-64), issuing a plurality of commands to a controller, wherein the commands are issued in a first order (col 6, ln 7-15/ ln 59-68), the completion the status of commands (the last executed command, col 6, ln 35-39), the completion status of commands is indicated in a second order (col 6, ln 31-41/ col 14, ln 5-6). Kondo does not explicit teach the term the second order is capable of being different from the first order. However, Kondo teach the command X and Y is fed the controller 102, when the commands are executed, the executed commands are stored in the status/command storage unit 103, col 6, ln 31-40/ col 14, ln 5-6). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to apply the teaching of Kondo because the command X and Y is fed the controller 102,

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when the commands are executed, the executed commands are stored in the status/command storage unit 103 would avoid accessing to an erroneous position in the list and assure the exact access to the desired information.

4. **As to claim 12**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Kondo teaches a machine –readable medium having instruction (col 5, ln 9-11).

5. **As to claim 23**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

6. **As to claim 28**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Kondo teaches a plurality of computation units (col 5, ln 10-20/ Fig. 1).

7. Claims **2, 5, 11, 13, 16, 17, 24, 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al (US. Patent 6,442,621 B1) in view of Ghaffari et al (US. Patent 6,088,740).

8. **As to claim 2**, Kondo does not explicit teach the a command includes a command, a memory address identifying a memory location to which the completion status will be written, and a value to be written upon completion of the command. However, Ghaffari teaches a command, a memory address identifying a memory location to which the completion status will be written, and a value to be written upon completion of the command (the command block 501 include the command to be executed as identified in the command code 510... the address and

byte count of data locations where the results of a given data operation should be placed, col 7, ln 24-25/ln 45-50/Fig. 5).

9. I would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Kondo and Ghaffari because Ghaffari's the command block 501 include the command to be executed as identified in the command code 510... the address and byte count of data locations where the results of a given data operation should be placed would execute discrete commands quickly and efficiently if the commands and their accompanying data are readily available for executing and error recovery when necessary.

10. **As to claim 5**, Ghaffari teaches a first memory location (col 4, LN 5-10), the second memory location (col 7, ln 49-51).

11. **As to claim 11**, Ghaffari teaches the value to be written indicated the command's original location (col 7, ln 25-27).

12. **As to claims 13, 16, 17, 24, 29**, they are apparatus claims of claims 2, 11, 5; therefore, they are rejected for the same reasons as claims 2, 11, 5 above.

13. Claims **3,4 , 14, 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al (US. Patent 6,442,621 B1) in view of Ghaffari et al (US. Patent 6,088,740) and further in view of Kohn (US. Patent 4,366,536).

14. **As to claims 3, 4**, Kondo and Ghaffari do not teach an absolute address and an offset from a base memory address. However, Kohn teaches an absolute address and an offset from a

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base memory address (address indicated the offset, the absolute variable data are addresses, col 2, ln 8-16/ ln 42-45).

15. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Kondo, Ghaffari and Kohn because Kohn's address indicated the offset, the absolute variable data are addresses would provide addresses to the respective memories and the program counter to the respective memories.

16. As to claims 14, 15, they are apparatus claims of claims 3, 4; therefore, they are rejected for the same reasons as claims 3, 4 above.

17. Claims 6-9, 18-21, 25-26, 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al (US. Patent 6,442,621 B1) in view of Saito (US. Patent 6,567,862 B1).

18. As to claim 6, Kondo does not teach the commands are grouped into categories. However, Kondo teaches the commands are grouped into categories (groups received commands and stored commands to predetermined command group are according to group, col 2, ln 28-35).

19. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Kondo and Saito because Saito's groups received commands and stored commands to predetermined command group are according to group would allows movement of a recording head of the data server to be reduced and therefore the efficiency of disk access could be improved.

20. As to claim 7, 8, 9, Saito teaches their execution time/ a plurality of resource executes / a plurality of memory location (according to a recording area on the data recording medium accessed by each command, col 3, ln 1-5/based on this address information... corresponding to the access disk, col 8, ln 45-56/ at the command execution time T', col 12, ln 41-42).

21. As to claims 18-21, 25-26, 30-31, they are apparatus claims of claims 6-9; therefore, they are rejected for the same reasons as claims 6-9 above.

22. Claims 10, 22, 27, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al (US. Patent 6,442,621 B1) in view of Saito (US. Patent 6,567,862 B1) and further in view of Ghaffari et al (US. Patent 6,088,740).

23. As to claim 10, Kondo and Saito do not teaches a single memory location. However, Ghaffari teaches a single memory location (a set of n command blocks 210-211, col 4, ln 4-10).

24. I would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Kondo, Saito and Ghaffari because Ghaffari's the command block 501 include the command to be executed as identified in the command code 510... the address and byte count of data locations where the results of a given data operation should be placed would execute discrete commands quickly and efficiently if the commands and their accompanying data are readily available for executing and error recovery when necessary.

25. As to claims 22,27, 32, they are apparatus claims of claim 10; therefore, they are rejected for the same reasons as claim 10 above.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

August 17, 2004


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SUPERVISORY PATENT EXAMINER
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